



Senate

General Assembly

File No. 50

January Session, 2011

Substitute Senate Bill No. 418

Senate, March 10, 2011

The Committee on Public Safety and Security reported through SEN. HARTLEY of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING RECERTIFICATION OF RETIRED POLICE OFFICERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (a) and (b) of section 7-294d of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2011*):

4 (a) The Police Officer Standards and Training Council shall have the
5 following powers:

6 (1) To develop and periodically update and revise a comprehensive
7 municipal police training plan;

8 (2) To approve, or revoke the approval of, any police training school
9 and to issue certification to such schools and to revoke such
10 certification;

11 (3) To set the minimum courses of study and attendance required

12 and the equipment and facilities to be required of approved police
13 training schools;

14 (4) To set the minimum qualifications for law enforcement
15 instructors and to issue appropriate certification to such instructors;

16 (5) To require that all probationary candidates receive the hours of
17 basic training deemed necessary before being eligible for certification,
18 such basic training to be completed within one year following the
19 appointment as a probationary candidate, unless the candidate is
20 granted additional time to complete such basic training by the council;

21 (6) To require the registration of probationary candidates with the
22 academy within ten days of hiring for the purpose of scheduling
23 training;

24 (7) To issue appropriate certification to police officers who have
25 satisfactorily completed minimum basic training programs;

26 (8) To require that each police officer satisfactorily complete at least
27 forty hours of certified review training every three years in order to
28 maintain certification, unless the officer is granted additional time not
29 to exceed one year to complete such training by the council;

30 (9) To renew the certification of those police officers who have
31 satisfactorily completed review training programs;

32 (10) To renew the certification of any retired police officer who
33 applies and pays for said certification;

34 [(10)] (11) To establish uniform minimum educational and training
35 standards for employment as a police officer in full-time positions,
36 temporary or probationary positions and part-time or voluntary
37 positions;

38 [(11)] (12) To visit and inspect police basic training schools and to
39 inspect each school at least once each year;

40 [(12)] (13) To consult with and cooperate with universities, colleges

41 and institutes for the development of specialized courses of study for
42 police officers in police science and police administration;

43 [(13)] (14) To consult with and cooperate with departments and
44 agencies of this state and other states and the federal government
45 concerned with police training;

46 [(14)] (15) To employ an executive director and, within available
47 appropriations, to employ any other personnel that may be necessary
48 in the performance of its functions;

49 [(15)] (16) To perform any other acts that may be necessary and
50 appropriate to carry out the functions of the council as set forth in
51 sections 7-294a to 7-294e, inclusive, as amended by this act;

52 [(16)] (17) To accept contributions, grants, gifts, donations, services
53 or other financial assistance from any governmental unit, public
54 agency or the private sector;

55 [(17)] (18) To conduct any inspection and evaluation that may be
56 necessary to determine if a law enforcement unit is complying with the
57 provisions of this section;

58 [(18)] (19) At the request and expense of any law enforcement unit,
59 to conduct general or specific management surveys;

60 [(19)] (20) To develop objective and uniform criteria for granting any
61 waiver of regulations or procedures established by the council;

62 [(20)] (21) To recruit, select and appoint candidates to the position of
63 probationary candidate, as defined in section 7-294a, and provide
64 recruit training for candidates of the Connecticut Police Corps
65 program in accordance with the Police Corps Act, 42 USC 14091 et
66 seq., as amended from time to time;

67 [(21)] (22) To develop, adopt and revise, as necessary,
68 comprehensive accreditation standards for the administration and
69 management of law enforcement units, to grant accreditation to those

70 law enforcement units that demonstrate their compliance with such
71 standards and, at the request and expense of any law enforcement
72 unit, to conduct such surveys as may be necessary to determine such
73 unit's compliance with such standards; and

74 [(22)] (23) To appoint any council training instructor, or such other
75 person as determined by the council, to act as a special police officer
76 throughout the state as such instructor or other person's official duties
77 may require, provided any such instructor or other person so
78 appointed shall be a certified police officer. Each such special police
79 officer shall be sworn and may arrest and present before a competent
80 authority any person for any offense committed within the officer's
81 precinct.

82 (b) No person may be employed as a police officer by any law
83 enforcement unit for a period exceeding one year unless [he has been]
84 certified under the provisions of subsection (a) of this section or [has
85 been] granted an extension by the council. No person may serve as a
86 police officer during any period when his or her certification has been
87 cancelled or revoked pursuant to the provisions of subsection (c) of
88 this section. In addition to the requirements of this subsection, the
89 council may establish other qualifications for the employment of police
90 officers and require evidence of fulfillment of these qualifications. The
91 certification of any police officer who is not employed by a law
92 enforcement unit for a period of time in excess of two years, unless
93 such officer is on leave of absence, shall be considered lapsed. Upon
94 reemployment as a police officer, such officer shall apply for
95 recertification in a manner provided by the council, provided, if such
96 officer is retired, such officer may apply to renew his or her
97 certification even if such officer is not reemployed as a police officer.
98 The council shall certify any applicant who presents evidence of
99 satisfactory completion of a program or course of instruction in
100 another state equivalent in content and quality to that required in this
101 state, provided [he] the applicant passes an examination or evaluation
102 as required by the council.

103 Sec. 2. Section 7-294e of the general statutes is repealed and the
104 following is substituted in lieu thereof (*Effective October 1, 2011*):

105 (a) Notwithstanding the provisions of any general statute or special
106 act or local law, ordinance or charter to the contrary, each police officer
107 or retired police officer shall forfeit his or her appointment and
108 position unless recertified by the council according to procedures and
109 within the time frame established by the council.

110 (b) The Police Officer Standards and Training Council may adopt
111 any regulations it deems necessary to carry out the provisions of
112 section 7-294a, subsection (a) of section 7-294b, sections 7-294c, 7-294d,
113 as amended by this act, and this section in accordance with the
114 provisions of chapter 54, giving due consideration to the varying
115 factors and special requirements of law enforcement units. Such
116 regulations shall be binding upon all law enforcement units, except the
117 Division of State Police within the Department of Public Safety.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2011</i>	7-294d(a) and (b)
Sec. 2	<i>October 1, 2011</i>	7-294e

PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Police Officer Std. & Training Council	GF - Cost/Revenue	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill would result in a potential cost and potential revenue to the Police Officer Standards and Training Council (POST). The potential revenue may offset any potential cost of the bill.

This potential cost is contingent upon the number of retired police officers who would apply for recertification under the bill. The revenue gained from application payments as required by retired police officers under the bill may offset the potential cost. While the bill specifies that retired police officers must pay for their application, it does not indicate what the fee would be. Presumably POST would set a fee to offset all associated cost which would result in net revenue/cost of \$0.

Background

In order to receive recertification, a police officer must complete 60 hours of review training every three years. Review training is provided at local law enforcement agencies and at the POST facility. The administrative and programmatic cost for 60 hours of training by a police officer at the POST facility is estimated to be \$200.

Currently, POST manages 8,200 police officer certifications in the

state. One employee at POST is responsible for the administration of certifications.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 418*****AN ACT CONCERNING RECERTIFICATION OF RETIRED POLICE OFFICERS.*****SUMMARY:**

Under current law, a municipal police officer's certificate lapses if he or she leaves the force, except for a leave of absence, and is not employed by a law enforcement unit for more than two years. The officer may be recertified by the Police Officer Standards and Training (POST) Council only if he or she is reemployed by a law enforcement unit.

This bill allows a retired police officer to apply for recertification even if he or she is not employed by a law enforcement unit, provided he or she pays for the recertification. It authorizes the council to renew the certificates of such retired officers. Under the bill, retired police officers forfeit their appointment and position if they are not recertified by POST according to its procedures and within its deadlines. (It is unclear (1) if the renewal standards for retired officers would be the same as for other officers seeking recertification, (2) whether retired officers could apply for recertification irrespective of when they retired, and (3) what "appointment and position" retired officers not employed by a law enforcement unit would forfeit.)

EFFECTIVE DATE: October 1, 2011

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 12 Nay 8 (02/22/2011)